



Winston H. Hickox
Secretary for
Environmental
Protection

California Regional Water Quality Control Board

Los Angeles Region

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Los Angeles Regional Water Quality Control Board Minutes of January 24, 2002 Board Meeting/Workshop held at Richard H. Chambers, U.S. Court of Appeals 125 S. Grand Avenue, Pasadena

INTRODUCTION

1. The meeting was called to order by Chairman Nahai at 9:09 a.m.

Board Members Present

Julie Buckner-Levy, Susan Cloke, Francine Diamond, R. Keith McDonald, Robert Miller, Bradley Mindlin, H. David Nahai, Christopher Pak and Timothy Shaheen

Board Members Absent

None

Staff Present

Dennis Dickerson, Deborah Smith, Wendy Phillips, David Bacharowski, Ronji Harris, Laura Gallardo, Robert Sams, Jack Price, Jenny Newman, Rebecca Chou, Blythe Ponek-Bacharowski, Cassandra Owens, David Hung, C.P. Lai, Rebecca Nevarez, Arthur Heath, Dixon Oriola, Rebecca Chou, Jonathon Bishop, Melinda Becker, Renee DeShazo, Paula Rasmussen, Hugh Marley, Parvaneh Khayat, Kristie Chung, Dionisia Rodriguez, Phillip Wyles.

Others Present

Richard Watson, Coalition for Practical Regulation
Alex Steele, LA County Sanitation District
Mark Gold, Heal the Bay
Kathleen McGowen, City of Palos Verdes Estates
Mark Hanna
Ray Miller, Southern California Alliance/Publicly
Owned Treatment Plants
Jose Sacz, LA County Sanitation District
Jim Langley, Bureau of Sanitation, City of LA
Jim Hatchell, Ultramar Wilmington Refinery
Sharon Rubalcava, BP West Coast Products LLC
Brian Wall, Western States Petroleum Association
Kelly Gharias, City of LA Bureau of Sanitation
Adam Ariki, LA County Flood Control District

Judy Wilson, City of Los Angeles
Desi Alvarez, City of Downey, EAC
Steve Fleischli, Santa Monica Baykeeper
Heather Hoecherl, NRDC
Anjali Jaiswal, NRDC
Jacqueline Lambrichts, Friends of
the SanGabriel River
Deborah Lambe, Praxair
Don Mackin, Praxair
Lial Tischler, Ultramar
Rick Rothman, Ultramar
Angie Carrillo, Central City Pallets
Martin Reyes, Central City Pallets

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Pledge of Allegiance

1. Roll Call

A roll call was taken.

2. Order of Agenda.

The Executive Officer, Dennis Dickerson recommended the following changes to the Agenda.

- *Item 21 be taken out of order to accommodate Tom Howard's schedule*
- *Item 10.1 will be heard at a future meeting*

3. Approval of Minutes of Regular Meetings of November 13 and December 13, 2001 and of the Ahmanson Ranch Workshop on December 3, 2001.

Board Member Cloke asked that the statements made by Drew Bohan of Santa Barbara Channelkeeper be more accurately reflected on page 4 of the minutes for the November 13 Board meeting.

MOTION: By Board Member Diamond, seconded by Chairman Nahai and approved on a voice vote. No votes in opposition. Board Member Cloke abstained from voting on the approval of the December 3, 2001 minutes, as she was not there.

4. Election of Officers

Chairman Nahai nominated Vice Chairperson Diamond as Chair and Board Member Cloke as Vice Chair.

MOTION: By Chairman Nahai, seconded by Board Member Shaheen and approved on a voice vote. No votes in opposition.

5. Recognition Ceremony

There was a recognition ceremony for Chairman H. David Nahai including a Regional Board resolution, a legislative presentation by Mary Sue Maurer, and a presentation of a plaque from Board members.

6.1 Ex Parte Disclosure.

Board Member Cloke disclosed that she had recently sat next to Mr. Dilkes, City Manager and City Attorney for the City of Bradbury at a dinner and he had much to say about the LA MS4 permit. She referred him to Dennis Dickerson to set up a meeting.

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6.2 Board Member Communications

No Board Members had anything to communicate.

7. Public Forum

Kelly Gharias, LA County Bureau of Sanitation, spoke on item 10.3 during the public forum, stating that she supported the revised WDRs.

8. Uncontested Items Calendar

The Board agreed to come back to Item 10.2 later in the day.

Items 9.2, 10.3, 10.5, 10.6, 17, and 18 remained on the calendar. There was a motion to adopt the uncontested items.

MOTION: By Board Member Cloke, seconded by Board Member Shaheen, and approved on a voice vote. No votes in opposition.

WASTE DISCHARGE REQUIREMENTS

9.1 Praxair Incorporated (Wilmington Facility)

Staff Presentation

Cassandra Owens, Staff, Watershed Regulatory Section, gave the staff presentation including background, effluent limits, compliance history, and reviewed comments from the discharger, Heal the Bay, and the Department of Fish and Game. Praxair discharges to a storm drain on Pacific Coast Highway, which in turn discharges to the Dominguez Channel Estuary. The effluent limits in the revised permit include increased monitoring for copper, lead, nickel, zinc, fecal coliform, and toxicity and a 3-½ year compliance schedule. Some of the discharger comments included a request for a revised re-opener for the TMDL compliance schedule and reduced monitoring. In response, staff developed tiered interim limits. Heal the Bay commented that the compliance schedule was too long and requested that the interim limits for metals be restricted to 2 years. Fish and Game commented that toxicity monitoring frequency should be increased to monthly for the first 6 months. Staff recommended that the Board adopt the revised WDRs with the changes in the change sheets and with the increased toxicity monitoring frequency.

Discharger Presentation

Deborah Lambe, representing Praxair, gave an introduction and went over Praxair's objections to the length of the compliance schedule and some of the monitoring requirements.

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Don McMackin, Praxair, explained how the facility operates and went over the space limitations that would restrict Praxair from constructing treatment ponds. He added that tying into a sewer system would not be feasible either. He stated that instead, Praxair would have to focus on source control, which is time consuming, and would therefore need five years to meet the effluent limits. He stated that the main contributor of pollutants was the water used in the cooling tower and added that the incoming city water used has exceeded the proposed permit limits. Mr. McMackin also objected to the monthly monitoring for metals, saying that there was no reasonable potential for some of those constituents to be at the facility, and asked the Board to wait for a feasibility study before setting monitoring requirements.

Board Member Questions

Board Member Mindlin asked if there was land available for acquisition adjacent to the facility to install a retention pond and asked what the cost of monthly metal sampling would be.

Mr. McMackin replied that all of the adjacent land was occupied and estimated the cost of monthly sampling to be approximately \$600-\$700 a year.

Board Member McDonald suggested that Praxair look into using recycled water for their cooling towers and to get involved with the upcoming Corps of Engineers RO/MF project in the Harbor.

Board Member Pak asked if Praxair had filed an application with County Sanitation District to tie into the sewer system.

Mr. McMackin replied that Praxair had filed an application but that the County was not encouraging in its response letter.

Board Member Cloke asked if Praxair had identified the relative contribution of pollutants from incoming water quality, piping, condensers, etc. in their initial identification study.

Mr. McMackin replied that the incoming water quality was variable and that the air compressor coolers were the main contributor.

There was some discussion between the Board and staff about the interim effluent limits and the compliance schedule. Staff felt that Praxair could expedite the source identification and control process and didn't need five years. The Board felt that a re-opener after 2 years would be appropriate to determine if Praxair was able to meet the 3-½ year schedule. The Board specified re-opener language requiring that within 6 months of the 2 tier compliance date, if Praxair had demonstrated to the satisfaction of the Board their best efforts to comply with the effluent limits, then its compliance schedule could be extended another year.

There was a motion to adopt the revised WDR with the changes in the change sheet and the changes required by Fish and Game.

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MOTION: By Board Member Mindlin, seconded by Chairperson Diamond, and approved on a voice vote. No votes in opposition.

At this point the Board agreed to put item 10.2 back on the uncontested items calendar and to approve it.

MOTION: By Chairperson Diamond, seconded by Board Member Cloke, and approved on a voice vote. No votes in opposition.

9.3 Ultramar, Inc. (Wilmington Marine Terminal)

Staff Presentation

Cassandra Owens, gave the staff presentation including background, effluent limits, compliance history, monitoring requirements, and responded to written comments from the discharger. Ultramar is a bulk storage and distribution terminal with three outfalls and one discharge point, which discharges up to 1.3 mgd of storm water runoff and hydrostatic test water to LA inner Harbor. The effluent limits in the revised permit are CTR based and there are new interim monitoring requirements for effluent and receiving water. In response to the discharger's request for interim limits for copper and zinc, staff granted interim limits for copper but not zinc. Staff recommended that the Board adopt the revised WDRs with the changes in the change sheets.

Discharger Presentation

Jim Hatchell, Ultramar, stated that there should be no limits for zinc and copper, that the reasonable potential analysis conducted by the Board was based on inaccurate and insufficient data, that the compliance schedule should be TMDL based or if it is CTR based, then it should be 6 years. Finally, he objected to the requirement to implement a pollution management plan, stating that it conflicted with the Water Code.

Lial Tischler, representing Ultramar, stated that he believed that the sample size for the reasonable potential analysis was too small and that the discharge from hydrostatic testing is generated infrequently and compliance cannot be ensured. He stated that requiring zinc and copper limits before the TMDL is developed would be inequitable and may cause Ultramar to spend money on unnecessary and costly treatment.

Board Questions

Board Member McDonald asked staff why they didn't wait until the TMDL was developed to set the zinc and copper standards.

David Hung, Staff, Watershed Regulatory Section, replied that staff is following CTR and SIP regulatory requirements that they are legally obligated to follow.

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Board Member Nahai asked staff if it was true that the compliance schedule was 4 years long and a TMDL compliance schedule would be only 5 years long.

Debbie Smith, Assistant Executive Officer, replied that this was true and there was also a re-opener in the permit.

Board Member McDonald asked staff if it was possible to expedite the TMDL process.

Jon Bishop, Chief of the Regional Programs Section, replied that the formation of the Dominguez Channel Watershed Advisory Committee was created to expedite this TMDL and that it was scheduled for 2006, which was ahead of schedule.

There was a motion to accept staff's recommendation with the change sheet.

MOTION: By Chairperson Diamond, seconded by Board Member Nahai, and approved on a voice vote. No votes in opposition.

9.4 B.P. Wilmington Calciner

Staff Presentation

Cassandra Owens gave the staff presentation including background, compliance history, effluent limitations, and went over discharger comments. B.P. is a petroleum coke calciner plant that discharges up to 1.1 mgd of storm water, water from power generation, and washwater to a retention pond, which discharges to the Cerritos Channel. The new requirements in the permit include fecal coliform and toxicity monitoring, interim effluent limits for copper, nickel, and zinc, and a four-year compliance schedule. The discharger comments included claims that there was no reasonable potential for fecal coliform and thallium, that the pollution management plan violates the water code, and that staff did not consider dilution credits, mixing zones, and economic costs.

Discharger Presentation

Sharon Rubalcava, representing B.P., asked that the Board delete the limit for fecal coliform because there was no reasonable potential for it to be at the facility. She stated that there were no animals at the facility and that the presence of fecal coliform in the receiving waters was not enough to establish a reasonable potential. She also asked that the interim limit for zinc be changed to 1370 mg/L, as it should be a performance based standard.

Brian Wall, Western States Petroleum Association objected to the calculation of the final and interim limits, stating that they do not comply with the SIP or the TOSCO decision. He stated that the Board should demonstrate that no assimilative capacity exists in the receiving water and that 303(d) listing is not enough of a demonstration. Finally, he

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stated that limits were based on a limited data set and would most certainly result in exceedances.

Board Questions

Chairperson Diamond asked staff to address the two points about the fecal coliform limits and the interim limits.

Staff responded by going over the three tiers for a reasonable potential analysis, stating that the second tier included using background information such as monitoring data to determine standards. Staff recommended that the Board at least require monitoring based on the background information. Staff added that the Board could impose interim limits based on recently submitted data.

Board Member Mindlin asked how much fecal coliform monitoring would cost and stated that if there were no fecal coliform in the effluent then the limits would not affect the facility.

Board Member Nahai asked for staff's specific response to the comment that elevated levels of fecal coliform in the Cerritos Channel could not be enough the only basis for establishing reasonable potential.

David Hung replied that the open retention basin and runoff from off site are also potential sources of fecal coliform. He added that the SIP allows for reasonable potential analysis without the linkage and that the Board is allowed discretion.

The Board then went over the zinc limits and compliance schedule, discussing the fact that if they impose a higher zinc limit, then they need to impose a shorter compliance schedule or a tired approach.

The Board decided to finish discussing the matter after lunch and after hearing Item 10.4.

10.4 WDRs and a Proposed Mitigated Negative Declaration for Groundwater Remediation at Petroleum Hydrocarbon Fuel and/or Volatile Organic Compound Impacted Sites.

David Bacharowski, Chief Underground Storage Tanks Section, discussed the purpose of the general WDRs and the applicability of the cleanup to petroleum hydrocarbon and other VOC impacted sites, stating that the general WDR would expedite the cleanup and restoration of groundwater resources. The general WDR would allow for oxidation/aerobic degradation, reduction/reductive degradation, and inorganic/nutrient degradation. There would be limitations on pH and general mineral content, monitoring and reporting requirements, and minimal impact to the environment.

Board Member Nahai asked if the general WDR would be effective once the remediation action plan was completed and approved with respect to cleanup.

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David Bacharowski went over the eligibility requirements of the permit, stating that submission of the approved remediation action plan was part of the application.

There was a motion to approve the General WDR with the changes in the change sheet.

MOTION: By Chairperson Diamond, seconded by Board Member Shaheen, and approved on a voice vote. No votes in opposition.

9.4 B.P. Wilmington Calciner – Continued

Phil Wyles, Supervisor Staff Council, State Board, spoke with B.P. and made a recommendation to remove the fecal coliform limit, maintain monitoring requirements, and to insert a re-opener to add a zinc limit if needed. The new re-opener language would be inserted on page 9.4-37 as a new letter H. The language directed staff to come back before the Board in one year or at such time that there is an exceedance in any sampling event. Mr. Wyles also offered language for shortening the zinc compliance schedule to 3 years and changing the daily maximum concentration from 219 to 1370 mg/L and keeping the monthly average the same.

There was a motion to accept the revised WDR with the proposed changes.

MOTION: By Chairperson Diamond, seconded by Board Member Nahai, and approved on a voice vote. No votes in opposition.

Enforcement Panel Hearing Recommendations

11. Metal Recycling 22, Inc.

The discharger was not present to comment. Chairperson Diamond, who chaired the hearing panel, recommended that the Board support the panel's findings of fact and conclusions of law and the penalty.

Dennis Dickerson, Executive Officer, added that there has been discussion of a payment plan to allow Metals Recycling to pay the fine over five years based on the face amount of the ACL at \$33,650.

There was a motion to accept the complaint and adopt the face amount of the ACL, and allow the Executive Officer to authorize a payment installment plan.

MOTION: By Chairperson Diamond, seconded by Board Member Shaheen, and approved on a voice vote. No votes in opposition.

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- 12. Central City Pallets
- 13. Central City Pallets

Board Member Cloke chaired the hearing panel and asked for item 12 and 13 to be heard at the same time. The ACL was issued for failing to submit a Notice of Intent (NOI). The discharger was allowed to comment only on the penalty amount or if there was new evidence not presented in the panel hearing.

Angie Carillo, interpreter for Martin Reyes, owner, Central City Pallets, asked if there was any way for the board to change the penalty now that the owner had made a good effort to comply by submitting the NOI and collecting samples. She added that the language barrier between the owner and the Regional Board was to blame for the previous lack of compliance.

There was some discussion about whether or not the owner was working towards compliance and if the penalty should be decreased. It was decided to decrease the penalty to \$5,000 per site and to authorize the Executive Officer to schedule a 5-year payment plan with the owner.

MOTION: By Board Member Nahai, seconded by Board Member Cloke, and approved on a voice vote. No votes in opposition.

- 14. M.G.M. Auto Sales Dismantling, Inc.

Board Member Cloke asked the Board to affirm the penalty and authorize the Executive Officer to schedule a payment plan.

MOTION: By Chairperson Diamond, seconded by Board Member Mindlin, and approved on a voice vote. No votes in opposition.

- 15. Mr. Ching Fang Peng

The discharger did not appear at the panel hearing and wanted to discuss more than the penalty at the Board meeting. There was some discussion of compliance and the language barrier between staff and the discharger. The Board agreed to lower the penalty to \$10,000 to be paid over a period of 5 years.

MOTION: By Board Member Nahai, seconded by Board Member Cloke, and approved on a voice vote. No votes in opposition.

Board Member Cloke reported that the Hearing Panel had discussed the question of how to improve communication with the non-English speaking discharger community.

Mr. Dickerson reported that language changes have been made to letters and to notices, including information on the availability of translators. Translations will be available for dischargers and staff translators will also be available.

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Board Member McDonald recommended that staff get in touch with MWD regarding their outreach program.

Information Items

21. Perspectives on TMDLs as the State Water Quality Control Board's Top Program Priority.

Tom Howard, Executive Advocate for the TMDL program, spoke about the State's perspectives on TMDLs. The state had finished the strategic plan, which includes a prioritization process, making TMDLs a statewide top priority. He added that TMDL positions should remain full even as there are vacancies in other areas.

Basin Planning

16. Consideration of a proposed resolution amending the Basin Plan to incorporate a Total Maximum Daily Load (TMDL) to reduce bacteria at Santa Monica Bay beaches

Jon Bishop, Section Chief, Regional Programs, gave the introduction, outlining the purpose and background of the TMDL. Mr. Bishop specified that this TMDL was for dry weather only and that the wet weather TMDL would be heard at a future Board meeting.

Renee DeShazo discussed the problem identification, including the 303(d) listing of Santa Monica Bay beaches and the health risks associated with swimming at them. She then described the reference system approach used to determine the number of annual allowable dry weather exceedance days. The reference system chosen was Leo Carrillo to ensure that water quality at all beaches is at least as good as that of a largely undeveloped system. The numeric targets are zero exceedance days for the summer and vary for each beach in the winter. They are based on AB411 standards and REC-1 designation and apply at the wave wash, which is the point at which the storm discharge first mixes with the ocean water, or at ankle depth at the monitoring station. Ms. DeShazo then discussed the sources, including 7 NPDES dischargers, three POTWs and two municipal storm water permits, their history of exceedances, and stated that all responsible parties would be jointly responsible for exceedances. There would be a re-opener after 3 years to evaluate the reference system and the reference year. Ms. DeShazo stated that the Regional Board does not specify the method of compliance with this TMDL but discussed the costs of reasonable compliance options. Ms. DeShazo then went over the monitoring program, the public participation requirements and addressed public comments.

Jonathon Bishop concluded the presentation and read some comments from EPA endorsing the TMDL and stating that it meets all applicable federal requirements.

Judy Wilson, Director, City of Los Angeles Bureau of Sanitation, supports year round dry weather diversions. She outlined some of the City's actions to reduce storm water pollution, including the IPWP, which gives \$500,000 to studies to support TMDL

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development. She added that the City already has 8 storm water diversions in place. She asked that the Regional Board help the City get an EPA waiver to divert storm water to their treatment plants.

Mos Adjiri, City of Los Angeles, objected to the zero numeric targets during the summertime and the selection of Leo Carillo as the reference beach, whose historical sampling data was collected weekly and at 50 yards from point zero, which could cause dilution and decreased exceedances at the reference beach. He made several suggestions, including sampling daily at point zero at Leo Carillo, coinciding the compliance deadline of summer dry weather with the deadline for winter dry weather, extending both to 4.5 years, and extending the storm drain survey deadline from 120 days to one year. In addition, he asked what the trigger is for a sanitary survey.

Ray Miller, SCAP, stated that he supports the separation of dry and wet weather TMDLs. He added that the objectives used today did not exist when the beaches were listed and asked for stakeholder meetings throughout the implementation of the TMDL.

Desi Alvarez, City of Downey, EAC, asked that the Board defer the adoption of the TMDL until technical issues were further addressed.

Alex Steele, LA County Sanitation District, stated that the allowable number of exceedance days are based on limited data, and asked that if the target must be zero, then there should be a re-opener and safe harbor language. He then objected to the tide height restriction for sampling.

Adam Ariki, LA County DWP Storm Water Manager, submitted for the record a package with concerns including the exclusion of confirmation samples, the use of a calendar year instead of a storm year, and the three year compliance schedule, which he requested be extended to at least 6 years.

Richard Watson, Coalition for Practical Regulation, stated that there was no assimilative capacity analysis in the TMDL development and it was therefore not a valid TMDL. He added that the qualitative exceedance day targets were not suitable for calculation, that there was no complete allocation for loads and waste loads, and that there was an inappropriate use of data and statistics. He also stated that the board failed to establish the need for a dry weather TMDL.

Kathleen McGowen, representing the City of Palos Verdes Estates, commented that it was unfair to require responsible parties to sample at the wave wash at point zero and compare the results to historical data taken at Leo Carillo 50 yards from the discharge point at a distance from the wave wash.

Mark Gold, Heal the bay, discussed the issues at stake, including health risks, threats to natural resources, and economic effects. He stated that he felt the reference site approach was unnecessary and supports zero allowable exceedance days in summer dry weather. He supports staff's recommendation to have the compliance point at zero meters with no mixing zone allowed, and to eliminate compliance sampling. He stated

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that the sanitary survey would be triggered when 75% of the samples exceed the target within a four-week period. He responded to previous comments that there was not enough data to establish the TMDL, stating that this was the most extensive database for any TMDL that would be issued. Finally, he stated that he felt the proposed TMDL was a good start but not perfect.

Steve Fleischli, Santa Monica Baykeeper, stated that the data used to develop the TMDL was sufficient. He suggested that the point of compliance be at the end of pipe rather than at the wave wash, since children play in the storm water flow. He believes the deadlines are generous and pointed out that the LA MS4 permit prohibits non-storm water flow, so compliance with this TMDL should not be any more difficult. Finally, he added that for cities who requested standards based on the Ocean Plan, the Ocean Plan standards are more strict than AB 411 standards.

Heather Hoecherl, NRDC, had technical concerns that the winter dry weather allowable days of exceedances were not consistent with the requirements of 303(d), however given the low number of days, she felt it was more important to move forward with the TMDL adoption. She disagrees that any more time is needed to comply, adding that the Clean Water Act deadlines were in 1983 and 1985.

Anjali Jaiswal, NRDC, supplemented the previous comments, and spoke more about the health risks of bacterial contamination, the population at risk, and the effects on the economy.

Public Comments

Mark Hanna, supports the TMDL and believes the costs of implementation are worth it.

John Keyantash, supports the TMDL, stating that water quality is critical to the Southern California lifestyle and that Los Angeles County has sufficient resources to pay for TMDL implementation.

Questions for Staff

Board Member Nahai asked staff to respond to several issues brought up by speakers, including the comment that the Board was rushing to implement the TMDL because of the Consent Decree, the concept of the reference system and how it was applied, the need for the re-opener, the use of a calendar year instead of a storm year, the effect on individual NPDES permits, the claim that the TMDL does not meet the technical requirements of numerical load allocations, and the logic of requiring compliance at the wave wash and not storm drain outfalls.

Jon Bishop responded that this TMDL development process had been going on for three years and that the process recognized uncertainty. He stated that staff would look at the choice of using the calendar year instead of the storm year, as well as the location and year of the reference system in the 3-year re-opener. He added that the TMDL would have no effect on existing NPDES permits. He

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disagreed that the TMDL does not meet technical requirements, stating that the peer review said the waste load allocations were appropriate. Finally, Mr. Bishop said that although the compliance point was at the wave wash, the expected treatments, such as storm water diversions, would lead to compliance at the discharge point.

Board Member Cloke asked staff to review the Areas of Biological Significance (ASBS) process.

Jon Bishop said that after 120 days from the effective date of the TMDL, potential waste discharges to ASBS must be identified and all illegal discharges eliminated. He added that the Board would have the ability to enforce this requirement.

Board Member Cloke asked staff to comment on the request for the same time frame for summer and winter dry weather compliance, to answer what triggers a sanitary survey, and who the peer reviewers were.

Jon Bishop replied that he agreed with allowing the same compliance schedule for summer and winter, but noted that the storm drains will already be diverted for summer compliance and will only have to be transferred for winter use. He said that sanitary survey would be triggered by an exceedance, followed by confirmation, and investigation, adding that the bar was set high because sanitary surveys are so expensive. Finally, he stated that appropriate UC professors picked by the state reviewed the TMDL.

There was some discussion about the appropriateness of setting the compliance point at the wave wash and not at the discharge point. Staff pointed out that the Bay was the Board's legal jurisdiction and it was inappropriate to require the compliance point be at the end of the pipe.

Chairperson Diamond asked about setting interim milestones.

Jon Bishop suggested that the board direct staff to work with interested parties to develop milestones and to report back to the Board in a couple of months.

Phillip Wyles, added that he disagreed with comments that the TMDL should have been re-noticed because there were significant changes.

Questions for Dischargers

Chairperson Diamond asked Judy Wilson to expand on her request for staff to help expedite negotiations with EPA to treat storm water at POTWs.

Judy Wilson said that the City needs a waiver from EPA to divert storm water, which could take several months. She asked staff to speak on behalf of the City of LA or to send a letter to help expedite the process.

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Board Member Nahai asked if the City of LA had been the recipient of Prop 12 and 13 bond monies.

Ms. Wilson replied that the City had been very aggressive in pursuing the bond money. They received \$7 million worth of grants and matched with 20% local funds.

Board Member Cloke asked about the suggestion to combine summer and winter dry weather diversion.

Ms. Wilson replied that 8 of the drains have low flow diversions for summer only and that the city would have to automate low flow diversions to shut off in the rain.

There was Board discussion about changing the winter and summer compliance schedules to 4.5 years for both, which they decided against.

After Board discussion, there was a motion to adopt the TMDL with amendments and with a re-opener after two years.

MOTION: By Chairperson Diamond, seconded by Board Member Nahai, and approved on a voice vote. No votes in opposition.

19. Supplemental Environmental Project Proposal from the LA County Sanitation District

Dennis Dickerson, Executive Officer, Regional Board, gave the introduction and recommended that the board adopt the resolution as proposed.

Jacqueline Lambrichts, Friends of the San Gabriel River, stated that she had had not had much notice regarding this SEP.

MOTION: By Chairperson Diamond, seconded by Board Member McDonald, and approved on a voice vote. No votes in opposition.

20. Consideration of a Resolution authorizing participation and funding in a Water Augmentation Study

Wendy Phillips, Acting Assistant Executive Officer, summarized the resolution, which included a payment of \$75,000 for the Water Augmentation Study by the San Gabriel River Watershed Council.

MOTION: By Chairperson Diamond, seconded by Board Member Pak, and approved on a voice vote. No votes in opposition.

Adjournment of Current Meeting

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption
For a list of simple ways to reduce demand and cut your energy costs, see the tips at: <http://www.swrcb.ca.gov/news/echallenge.html>



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The meeting adjourned at 6:20 p.m. The next regular meeting is scheduled for February 28, 2002, at City of Simi Valley Council Chambers, 2929 Tapo Canyon Road, Simi Valley, California, at 9:00 a.m.

Minutes adopted at the _____ Regular Board meeting
submitted/amended.

Written and submitted by: _____.

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